

# DFEH News Brief

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## **STATE FINDS ALAMEDA COUNTY APARTMENT OWNERS DISCRIMINATED AGAINST AFRICAN AMERICAN TENANT; OWNERS ORDERED TO PAY DAMAGES AND CIVIL PENALTY AFTER HEARING**

**ELK GROVE, CA** -- The California Department of Fair Employment and Housing (DFEH) today announced the award of \$31,077.00 in damages to an African American tenant and his wife in a housing discrimination case prosecuted by the DFEH before the Fair Employment and Housing Commission (Commission).

After a two-day hearing, the Commission in a precedential decision found that Marlene O'Neill, owner and manager of the Maryland Apartments on Telegraph Avenue in Oakland, California, had repeatedly directed racial epithets at tenant Dante Lemons and banged on and kicked the door to the apartment where he lived with his wife, Chanel Williams, and their two young daughters. The Commission further found Ms. O'Neill, whose treatment of Lemons occurred in the presence of other tenants, and co-owners Maureen O'Neill and the O'Neill Family Trust liable for forcing Mr. Lemons and his family to move to escape the race-based hostility.

"The Fair Employment and Housing Act (FEHA) affords all Californians the right to live in a housing environment free from discrimination and harassment," said Governor Schwarzenegger's Secretary of State & Consumer Services, Rosario Marin. "This case illustrates the vital role the State plays in protecting Californians' fundamental rights and remedying the harmful effects of discrimination."

The award includes \$22,500.00 to compensate Mr. Lemons and Ms. Williams for their emotional injury, reimbursement for their out-of-pocket losses, and the imposition of a \$5,000.00 civil penalty. The owners and manager have also been ordered to undergo training regarding race-based housing discrimination and permanently post a notice advising tenants of their rights and remedies under the FEHA. A separate notice, which must remain posted for 90 days, informs tenants that the Commission found the owners violated the FEHA by discriminating on the basis of race and were ordered to pay damages as a result.

"Next year marks the 50<sup>th</sup> anniversary of the FEHA, the nation's leading civil rights law," said DFEH Director, Phyllis Cheng. "Despite vigorous enforcement of the FEHA, Californians still experience discrimination where they live and work. This case illustrates my department's commitment to educating the public about the FEHA's protections and prosecuting violators who disregard the law."

The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence. For more information, visit our Web site at [www.dfeh.ca.gov](http://www.dfeh.ca.gov). ###